

Board of Mayor and Aldermen  
Regular Meeting, Nolensville Elementary School  
Thursday, January 5, 2006, 7:00 p.m.

Mayor Charles Knapper opened the meeting at 7:02 p.m. Members present were Mayor Knapper, Aldermen Jimmy Alexander, Joe Curtsinger, Tommy Dugger, and Larry Felts. Counsel Robert Notestine, Town Planner Henry Laird, Town Engineer Rich Woodroof and Recorder Cindy Lancaster. There were 61 citizens present.

Mr. Willis Wells led the prayer and pledge.

Mayor Knapper asked for citizen's comments.

Mr. Michael O'Cain, 1250 Countryside Road, stated he was disheartened by what the city is doing. Nolensville is going to be over-populated with all the construction. He stated that he felt Nolensville was growing too fast and encouraged everyone to attend the meetings.

Ms. Sheryl Williams Holt stated that her family owns property on York Road and has requested rezoning. She stated that they have been crowded out and cannot build any more homes on her land. She asked for support for the rezoning.

Ms. Cindy Arnold, 878 Dortch Lane, stated she welcomed growth and development. She stated that Nolensville has a unique opportunity to have standard subdivisions. She asks that the board consider 14,000 square foot lots and not 11,000. She asks for larger setbacks. Ms. Arnold noted that currently it is 20' and she would like to see 30'. Further, no one wants a subdivision with front loaded garages. She stated that if it is allowed, please have construction 5 to 10 feet behind the house. Ms. Arnold noted that wider streets are essential. She stated that Britain Downs could be wonderful with these changes.

Alderman Dugger made a motion to approve the minutes from December 1, Mayor Knapper seconded. The minutes were passed unanimously.

Recorder Lancaster noted that due to the conversion of the computer software the treasurer's report was not submitted. This will be submitted next week to the board. A vote was then taken on the November treasurer's report that was submitted to the board last month. Alderman Dugger made a motion to approve this report, Alderman Felts seconded and this passed unanimously.

Mr. Willis Wells reported the following for the Planning Commission:

- Noted the Land Use Plan was discussed.
- Two parcels behind the Post Office were reviewed.
- Nolensville Collision Center was approved.
- Mr. Bill Charles made a presentation for Fly/McFarlin Road.
- Monthly bond report was approved.

Betty Friedlander reported for the Historic Commission:

- Keep Williamson Beautiful phone book collection will not be at the schools, but can be taken to the Convenience Centers.

Chief Presley Hughes reported for the Nolensville Volunteer Fire Department.

- Beginning budget process.
- Noted the gas bills have increased.
- Noted the monthly and annual report was submitted to the board.
- Calls were up 229% in the town limits.
- Currently there are 25 members.

Rich Woodroof reported for the Codes Department.

- 241 inspections performed.
- 50 new homes in December 04 versus 157 new homes in December 05.
- New Sam Donald Road has opened this month.
- Received preliminary plan for Rocky Fork bridge from Mr. Moon.

Chief Paul Rigsby reported for the Police Department.

- Noted Brentwood Police Department will sponsor Women's Self-Defense January 16-19.
- Noted that statistical data was submitted to the board.
- Introduced Officers Bryan Howell, Charlie Holt and Kenneth Lee who recently joined the Nolensville Police Department. Swearing in these new officers followed.

Mayor Knapper reported for the Public Works.

- Stated a written report was submitted.
- Noted that in January and February this department slows down, although will get busy in March.

Mayor Knapper's report:

Mayor Knapper made a motion to appoint Alderman Alexander to the Planning Commission, Alderman Felts seconded and this passed unanimously.

The following Committees and Commissions were approved by acclamation:

#### Planning Commission

#### TERMS

Vacant	1	Budget Subcommittee
Frank Wilson	1	Charles F. Knapper
Rick Fisher	2	Willis Wells
Vacant	2	Betty Friedlander
Willis Wells	3	Jimmy Alexander
Bob Haines	3	Tommy Dugger
Larry Gardner	4	
Jimmy Alexander	4	
Charles F. Knapper		

Board of Zoning Appeals Board of Adjustments  
Larry Gardner  
Joe Curtsinger  
Vacant  
Bob Haines  
Charles Lawson

Human Resource Subcommittee  
Charles F. Knapper  
Larry Felts  
Tommy Dugger

Historic Commission  
Betty Friedlander  
Pat Aldred  
Wanda Barker  
Tommy Dugger  
Vacant

Mayor Knapper noted that town hall has increased in regards to workload. He asked for approval to hire a secretary and noted that it is the intent to have this individual out front to work with the Town Planner and Town Engineer. He noted this individual would be responsible for transcribing the Planning Commission minutes in addition to the Board of Mayor and Aldermen minutes. Alderman Dugger asked where the funds would be obtained to pay for this position. Mayor Knapper stated that it would come from the fund balance and the increase in the building permit fees. Alderman Alexander made a motion for the Human Resource Committee to begin the interview process. This was approved by acclamation.

Mayor Knapper reported on the Fast Track Grant in regards to the water line installation. Mayor Knapper noted that this grant was applied for and received sometime ago. This grant has been dormant for several months. It is now in the Engineering Department of the utility company and is moving forward.

Mayor Knapper noted that the town had met with MPO previously requesting to be taken from year 2025 to 2016 Horizon Year. He explained this process and stated that the town had requested funding be placed in the year 2016. The MPO instructed the town to discuss the funding with TDOT. Mayor Knapper advised the audience that the town is continuously working on the road issues.

Public hearing for ordinance #05-32, an ordinance to rezone property currently Suburban Residential (SR) to Commercial Regional (CR) opened at 7:46. It was noted that this includes 11 lots and is the new Commercial Regional zoning. Counsel Notestine explained the public hearing process. There was no public input. The public hearing closed at 7:50.

Public hearing for Ordinance #05-33, an ordinance to rezone property currently Suburban Residential (SR) to Commercial Services (CS) opened at 7:50. Mayor Knapper noted that this is compatible with the Land Use Plan adopted by the Planning Commission and the Board of Mayor and Aldermen. There was no public input. The public hearing closed at 7:51.

Public hearing of Ordinance #05-34, an ordinance to rezone property currently Estate Residential (ER) to Suburban Residential (SR) opened at 7:51. Town Planner Henry Laird noted that Mr. Moon had contacted town hall and ask that two parcels be removed from the rezoning request. Mr. Clifton with the engineering firm representing the developer, Tom Moon, noted the 10% required open space has been exceeded. He noted that there would be a buffering area and this is a standard subdivision, not a PUD. Mr. Clifton further noted that 1.8 is the allowable density and Mr. Moon is proposing approximately .95.

Dr. Nancy Kirby, 7388 Nolensville Road stated that she is concerned about the rapid growth and if the town has the infrastructure in place to accommodate the anticipated growth. She asks that the town pay attention to animal control and the landfill.

Ms. Betty Jones, York Road, noted that she was the owner of a portion of the property that is being requested for rezoning. She stated that Tom Moon is presenting a well thought out plan. She noted that with this development the town would increase tax revenue. She asks the board to vote for the rezoning.

Alderman Curtsinger noted that this is a request for a zoning change and not an approval of a concept plan.

Ms. Cindy Arnold, Dortch Lane, stated that she felt Mr. Moon has a unique opportunity to have a wonderful community. If this is rezoned it could have ½ acre lots. She asks that the board continue to keep abiding by the Comprehensive Plan and to keep this zoned ER.

Alderman Alexander noted that currently the plan allows for ½ acre lots.

Mrs. Lucy Ellen Dahlgren, 7380 Nolensville Road, stated that she is opposed to this rezoning. She noted that there is no guarantee that this will remain a standard subdivision. Ms. Dahlgren stated that the town is not prepared for another PUD. Town hall has shown that there are not enough secretaries and police to handle the current town limits. This will place more demands on the already strained infrastructure.

Mr. Adrian Jones, York Road, noted that the proposed zoning request is not a PUD. He stated that this is a standard subdivision. He further noted that since he was 20 years old he has been in public service and was proud of this board. This development is not proposed to build on top of each other. He ask the board to keep in mind that individuals who would vote “yes” do not attend, it is the individuals that are opposed who attend. The opposition here tonight, compared to who are not attending, is small.

Mr. Michael O’Cain, noted that he strongly disagreed with Mr. Jones. He stated that he had spoken with his neighbors and they are against PUD’s and are for larger lot sizes.

Mr. Steve Putney, Consultant for Mr. Tom Moon in regards to the bridge on York Road, told the board that if they had any questions in regards to this construction he would be happy to answer any of their concerns.

Ms. Amanda Collins, 7388 Nolensville Road, stated that this was her family’s property and has just recently returned from Iraq. She is shocked that within the time frame that she has been gone there have been a number of changes within Nolensville. She asks that the board benefit the community, stick with the ER zoning, and keep the hometown community.

Ms. Sheryl Williams Holt stated that she was raised in Nolensville and currently resides in Bradenton. She noted that her great-great grandmother helped build Nolensville. She said that she trust Mr. Moon to put a wonderful community there.

Mr. Tim Rawson, 2353 Rocky Fork Road, asked for the definition of ER. Town Planner Henry Laird stated that ER zoning has a minimum lot size of 1 ½ acre. Alderman Alexander noted that in addition to Mr. Moons request to remove two parcels, there has been a request to add a parcel by property owner Ms. McKnight. Town Planner Laird additionally stated

that if this is voted in favor by the board there is a parcel that will be surrounded by this zoning and it would be beneficial to Nolensville to re-zone this parcel also.

Ms. Joyce Allemore, Fly Road, inquired about the lot size for suburban residential. Mr. Laird stated that ½ acre minimum lot size – 20,000 square feet.

There was no further input.

Mayor Knapper noted that in regards to animal control and the landfill, Williamson County provides both of these services. He further stated that the town is working with TDOT in regards to signalization.

The public hearing closed at 8:24.

Public hearing for Ordinance #05-35, an ordinance to amend the zoning ordinance #04-09, to amend and add various definitions opened at 8:24. Counsel Notestine stated that this is an amendment to add definitions to the zoning ordinance. Mr. Henry noted it is approximately four pages and currently these definitions do not exist. There was no public comment. The public hearing closed at 8:25.

Second reading of Ordinance 05-28 an ordinance to amend the zoning ordinance #04-09 to create a Commercial Regional (CR) zoning. Mr. Laird noted that this ordinance pertains to mainly the north areas that were recently annexed. Alderman Dugger asked about the future right of way. He asked if 54' would be enough from the centerline. Engineer Woodroof stated that he would have to obtain plans from TDOT. He noted that Bill Terry, the former Planner, worked with TDOT and this is their requirement. Alderman Alexander asked if this was TDOT's recommendation. Engineer Woodroof stated yes. Mr. Frank Wilson, Planning Commission member, stated that when the Planning Commission discussed the by-pass with TDOT they said it would need to be 108'.

Alderman Dugger asked how the town would address the building façade. He inquired if a side or rear part of a building was visible from a public street, what would be the requirement? He further inquired if this would protect the town if a street were constructed in the future? Mayor Knapper stated that when a plan was presented it would have to be a condition. Additionally, the Major Thoroughfare Plan would be reviewed when a plan was presented. Alderman Felts made a motion to approve this ordinance, Alderman Alexander seconded and this passed unanimously.

Second reading of Ordinance #05-29, an ordinance to approve a concept plan for a planned unit development overlay known as Britain Downs. Counsel Notestine noted this is second reading for approval of a concept plan for a development on Sunset Road and Britain Lane. Engineer Woodroof noted that this is not the final plan approval. Alderman Alexander made a motion to approve this ordinance, Mayor Knapper seconded. Mayor Knapper noted that Mr. Mike Anderson and Mr. Fred Yazdian were in attendance to address the board. Mr. Anderson noted that there were six conditions that will travel with this project that have previously been imposed by the town. Alderman Alexander stated that sometimes a developer will come in with a plan and then "flip-it". He stated that this means after approval they will then sell the development. He asked Mr. Anderson and Yazdian if they intended on doing this? Mr. Yazdian stated that he is the developer and the builder and does not intend on "flipping" this project. Alderman Curtsinger asked for the definition of a façade and garage. Mr. Anderson stated that the garage must setback 3'. There was

extensive discussion on porches and garages.

Alderman Dugger made a motion to amend the ordinance with condition #4 to change the front “plan” to front “façade”. Alderman Alexander seconded. This was unanimously approved.

There was discussion on front load garages and the percentages within the development. Mr. Anderson stated that realistically 20 – 22% could be done. Mr. Yazdian stated that he is willing to do whatever the board request.

Alderman Curtsinger asked if this was a standard subdivision and inquired to how many homes could be built in this development. Mr. Anderson stated that he did not know, he would have to calculate this to come up with an accurate figure. Alderman Curtsinger asked if there was a reason why they could not have a larger number of non-front load garages. Mr. Yazdian stated that it depends on the lay of the land and the architecture. He noted that he tries to minimize disturbing the land with blasting. There was extensive discussion on side yard setback in regards to topography.

Alderman Dugger made a motion to amend the ordinance with condition #5 to change from 10% to 30% and have flexibility for side yard setbacks with approval from staff. Alderman Felts seconded. This passed by majority vote with Mayor Knapper, Aldermen Alexander, Dugger, Felts for, and Alderman Curtsinger against.

Alderman Curtsinger asked what Mr. Yazdian is willing to do with the impact that will be coming with this development. Mr. Yazdian stated that he had given an easement to Williamson County Board of Education for sewer. Mr. Yazdian stated that a donation was made to the Nolensville Volunteer Fire Department and he has agreed to financially assist with the water grant. Alderman Curtsinger asked for the specific dollar amounts of these contributions. Mr. Yazdian stated that the easement would be approximately \$10,000 and his wife sent a check to the Fire Department last month in the amount of \$1,000. Alderman Curtsinger asked what he would be willing to do for the town for the impact. Counsel Notestine stated that you couldn’t condition an approval for a financial contribution to a non-profit organization.

Alderman Curtsinger made a motion for this development to construct a three-lane on Sunset Road. This motion died for a lack of second.

Mayor Knapper stated that stipulations could be made at a later time. He stated that this could be captured at the PUD level.

There was extensive discussion of payment for road impact and improvements. Alderman Dugger made a motion for \$30,000 to be paid for road improvement by the developer. Mr. Anderson stated that he did not have a problem paying this as long as this has been imposed on other developments. Counsel stated that his concern is the town has not implemented an ordinance to impose this fee and we are bordering on this being a tax. Alderman Dugger withdrew his motion.

Alderman Curtsinger made a motion to table this until a workshop could be scheduled to further discuss. This died for a lack of second.

Alderman Dugger made a motion, condition #7 prior to approval of phase II an independent

traffic study be performed by consultants selected by the town at the developers expense. Alderman Alexander seconded this motion. This passed by majority vote with Mayor Knapper, Aldermen Alexander, Dugger, Felts for, and Alderman Curtsinger against.

The vote was then taken on the motion to approve this ordinance as amended, and passed by majority vote, Mayor Knapper, Aldermen Alexander, Dugger, and Felts for, and Alderman Curtsinger against.

Second reading of Ordinance #05-30, an ordinance to amend the zoning map to rezone property currently Estate Residential (ER) to Commercial Services (CS) at 7149 Nolensville Road. Mayor Knapper stated that this ordinance has been withdrawn.

First reading of Ordinance #06-01, an ordinance to amend the zoning map of Nolensville, Tennessee to rezone property currently Suburban Residential (SR) to Commercial Services (CS) with Commercial Corridor Overlay (CCO) and Office Industrial (OI). Town Planner, Mr. Laird, noted that this property is known as the Haley property on Nolensville Road. Alderman Felts made a motion to approve this ordinance, Mayor Knapper seconded and this was approved unanimously.

First reading of Ordinance #06-02, an ordinance to amend the zoning map of Nolensville, Tennessee to rezone property currently Urban Residential (UR) to Commercial Services (CS). Engineer Woodroof demonstrated the location of the property on a map. Mr. Laird said that Trace Development has proposed this with Ragan Smith and Associates. He noted that the Land Use Plan has been reviewed and this development complies with the plan. He illustrated a “sketch plan” to the audience. Mayor Knapper asked for a size. Mr. Laird stated that this has not been determined. Alderman Felts asked if the Commercial Overlay would be applied. Engineer Woodroof stated that it would not. Alderman Felts made a motion to approve this ordinance, Alderman Alexander seconded and this passed unanimously.

First reading of Ordinance #06-03, an ordinance to amend fees relating to the fee schedules which were adopted previously in ordinance #97-18 and amended by ordinance #99-18. Counsel stated that this ordinance is merely a housekeeping ordinance presented by Alderman Dugger. Alderman Dugger stated that this ordinance lines the town up with other municipalities in regards to fees. Alderman Dugger made a motion to approve this ordinance, Alderman Felts seconded and this passed unanimously.

Reading of Resolution #06-01, a resolution calling for a special census. Counsel Notestine stated that this gives authorization to the Mayor and staff to perform the census. The town obtains funding for the number of citizens that reside within Nolensville and with the recent annexation this could impact the revenue drastically. Mayor Knapper noted that the town is prepared to proceed with the mailing tomorrow. Mayor Knapper made a motion to pass this resolution, Alderman Alexander seconded and this passed unanimously.

Reading of Resolution #06-02, a resolution to change the spelling and name a road within the town limits. After extensive discussion on the naming of the road Alderman Dugger made a motion to table this until further review, Alderman Alexander seconded. Alderman Dugger withdrew his motion. Alderman Curtsinger made a motion to amend the name of the road to “Old Clovercroft Road”, Alderman Alexander seconded and this passed unanimously. Alderman Felts made a motion to approve this resolution as amended, Alderman Dugger seconded and this passed unanimously.

Other:

Alderman Felts stated that he would like to meet for the Code of Ethics review prior to March.

Alderman Dugger stated that he had received a couple of phone calls in regards to the signs on Nolensville Road that state "Joe Rossi Memorial Parkway". He asked for clarification that this is merely an overlay and does not change the entire naming of the road. Alderman Felts agreed. There was discussion that the signs should reflect this.

Alderman Curtsinger asked for clarification on road coring and miscalculations at Bent Creek. Engineer Woodroof stated that this was a slow time and they had sent a new person out to perform this work. Alderman Curtsinger asked if this was a professional company. Engineer Woodroof stated that it was a well-known company and they will be sending engineer letters to clarify this situation.

Mayor Knapper adjourned the meeting at 10:06 p.m.

Respectfully submitted,

Approved,

Cindy Lancaster  
Town Recorder

Charles F. Knapper  
Mayor